

ASSIGNED

NO. 66213

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 28 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 26 1997 under 62879

The applicant **Sierra Pacific Power Company**, hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion of water heretofore appropriated under Claims 165, 167, Permit #16904 Cert. #4549, and 431/432 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "The United States of America, Plaintiff vs. Orr Water Ditch Company, et al., Defendants", in Equity Docket A-3**

1. The source of water is **the Truckee River.**
2. The amount of water to be changed **Claim 165, 2.07 acre-feet; Claim 167, 2.07 acre-feet; Per 16904, Cer 4549, 0.56 acre-feet; and Claim 431/432, 0.68 acre-feet, along with a pro-rata share of the diversion rate.**
3. The water to be used for **Municipal and Domestic.**
4. The water heretofore permitted for **as Decreed.**
5. The water is to be diverted at the following point **The points of diversion of Sierra Pacific's existing water treatment plants as described in attached Exhibit "A" and as shown on the map supporting Application No. 58882 on file with the Division of Water Resources, State of Nevada.**
6. The existing permitted point of diversion is located within **See Exhibit "C"**
7. Proposed place of use **See attached Exhibit "B" as described in Application No. 62141 and shown on the map accompanying said application on file with the Division of Water Resources, State of Nevada.**
8. Existing place of use **Claim 165 - 0.46 acres in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, T.19N., R.19E., M.D.B.&M., APN 014-142-02; Claim 167 - 0.46 acres in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T.19N., R.19E., M.D.B.&M., APN 018-102-38; Claim 390 - 0.14 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 1, T.19N., R.19E., M.D.B.&M., APN 008-126-03; and Claim 431/432 - 0.16 acres in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, T.19N., R.19E., M.D.B.&M., APN 014-135-07, Washoe County, Nevada.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted at existing SPFCo. facilities, then treated and placed into the existing distribution system.**
12. Estimated cost of works **Completed.**

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13. Estimated time required to construct works **Completed.**

14. Estimated time required to complete the application of water to beneficial use
10 years.

15. Remarks:

By **s/Deborah G. Sotero**
Debora G. Sotero
P.O. Box 10100
Reno, NV 89520-0024

Compared **bk/cmf** **ll/gkl**

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 165, 167 and 431 and a portion of Permit 16904, Certificate 4549 which changed the point of diversion of Claim No. 390, Truckee River Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

(Permit Terms Continued)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0207 cubic feet per second, but not to exceed 5.43 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

December 13, 2015

Proof of the application of water to beneficial use shall be filed on or before:

January 13, 2016

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of December A.D. 2005


State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

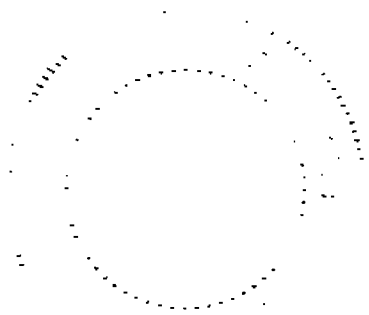


EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B" **PROPOSED PLACE OF USE**

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.&M.
E½	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E½	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E½	30&31	18	18	M.D.B.&M.
ALL	32-36	18	18	M.D.B.&M.
ALL	1-5	19	18	M.D.B.&M.
E½	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E½	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E½	30&31	19	18	M.D.B.&M.
ALL	32-36	19	18	M.D.B.&M.
ALL	1-5	20	18	M.D.B.&M.
E½	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E½	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E½	30&31	20	18	M.D.B.&M.
ALL	32-36	20	18	M.D.B.&M.
ALL	1-5	21	18	M.D.B.&M.
E½	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E½	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E½	30&31	21	18	M.D.B.&M.
ALL	32-36	21	18	M.D.B.&M.
ALL	1-36	18	19	M.D.B.&M.
ALL	1-36	19	19	M.D.B.&M.
ALL	1-36	20	19	M.D.B.&M.
ALL	1-36	21	19	M.D.B.&M.
ALL	2-35	18	20	M.D.B.&M.
W½	36	18	20	M.D.B.&M.
ALL	1-12	19	20	M.D.B.&M.
ALL	14-23	19	20	M.D.B.&M.
ALL	26-35	19	20	M.D.B.&M.
ALL	1-36	20	20	M.D.B.&M.
ALL	1-36	21	20	M.D.B.&M.
ALL	1-36	20	21	M.D.B.&M.
ALL	1-36	21	21	M.D.B.&M.

SEE SUPPORTING MAP ON FILE WITH APPLICATION NO. 62141

Amended
EXHIBIT "C"

The existing Points of Diversion for the Last Chance Ditch, English Mill Ditch (changed by Permit #16904, Cert. #4549 to the Orr Ditch) and Cochran Ditch are as follows:

Last Chance Ditch: Claim 165 & 167

The Southeast one-quarter of the Northeast one-quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 14, T. 19N., R. 18E., M.D.B.&M., or at a point from which the Northwest corner of Section 13, T. 19N., R. 18E., M.D.B.&M. bears North 24° 26' East a distance of 1,840 feet. The Last Chance Ditch per the Orr Ditch Decree.

English Mill Ditch (changed by Permit No. 16904, Certificate No. 4549): Claim 390

The Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 17, T. 19N., R. 19E., M.D.B.&M., or at a point from which the Southwest corner of said Section 17 bears South 44° 40' West a distance of 3,211 feet. The Orr Ditch per the Orr Ditch Decree.

Cochran Ditch: Claim 431/432

The Northwest one-quarter of the Southeast one-quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 11, T. 19N., R. 19E., M.D.B.&M., or at a point from which the Northwest corner of Section 14, T. 19N., R. 19E., M.D.B.&M. bears South 69° 15' West a distance of 3,640 feet. The Cochran Ditch per the Orr Ditch Decree.

